

U.S. Patent Application No. 09/581,689
Reply to Final Office Action dated June 30, 2006

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CENTRAL FAX CENTER PATENT
450101-4689

AUG 23 2006

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 23-143 are in the present application. Claims 23, 31, 39, 45, 51, 57, 65, 73, 78, 83, 89, 90, 97, 103, 109, 114, 119, 124, 129 and 136 are independent. Claim 81 is amended, and hereby obviates the claim objection. Claims 1-22 had been canceled, without prejudice or disclaimer of subject matter. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 23, 31, 39, 45, 51, 57, 65, 73, 78, 83, 89, 90, 97, 103, 109, 114, 119, 124, 129 and 136 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse.

Applicants submit that, as shown in Figure 1, a transmission broadcast system where application computers (upper control terminals 11-13) are connected through a local area

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network 15 to a hierarchy of controllers, device sub controllers 17, 18 and 19, which manage and control through direct connections the processing sections (control targets: reference numbers 31-34 and 41-44) of several AV servers 30, 40.

Applicants submit that, as shown in Figures 4 and 6, upper control terminal 11, 12, 13 issues a reservation command to the execution management task 71.

Therefore, Applicants respectfully request that the 35 U.S.C. §112, first paragraph rejections be withdrawn from consideration.

III. REJECTIONS UNDER 35 U.S.C. §102(e) and 35 U.S.C. §103(a)

Claims 23-25, 28, 29, 31-33, 36, 37, 57, 58, 60-63, 65, 66, 68-71, 73, 74, 76-79, 81-86, 89-93, 96, and 119-143 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent 5,913,227 to Raz et al. (hereinafter, merely "Raz").

Claims 26, 27, 34, 35, 39-43, 45-48, and 51-54 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of U.S. Patent 6,430,592 to Davison (hereinafter, merely "Davison").

Claims 30, 38, 64, 72, 87, 88, 94, and 95 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of U.S. Patent 5,528,282 to Voeten et al. hereinafter, merely "Voeten").

Claims 44, 50, and 56 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of Davison and further in view of Voeten.

Claims 49 and 55 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of Davison and further in view of U.S. Patent 5,301,324 to Dewey et al. (hereinafter, merely "Dewey").

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Claims 59 and 67 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz.

Claims 75 and 80 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of U.S. Patent 6,278,717 to Arsenault et al. (hereinafter, merely "Arsenault").

Claims 97, 98, 102-104, and 108-118 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of U.S. Patent 5,935,206 to Dixon et al. (hereinafter, merely "Dixon").

Claims 99-101 and 105-107 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Raz in view of Dixon and further in view of Dewey.

IV. RESPONSE TO REJECTIONS

Claim 23 recites, *inter alia*:

"A control apparatus for controlling the state of use of a plurality of control targets, the apparatus comprising:

upper control terminal means for issuing a first control command instructing reserved use of a control target from amongst said plurality of control targets; and

control target allocation control means for inhibiting upper control terminal means except for the upper control terminal means which issued the control command, of a plurality of upper control terminal means, from using the control target of the reserved use instructed by the first control command, on the basis of the first control command from the upper control terminal means;

wherein the upper control terminal means are connected through a network to controllers which are directly connected to said plurality of control targets; the control target allocation control means being located in the controllers." (emphasis added)

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As understood by Applicants, Raz relates to a method of synchronizing access to a data object that is stored within a shared storage area of a data storage system to which a plurality of host processors are connected.

It is respectfully submitted that Raz fails to provide the disclosure of claim 23.

On pages 5-6 of the Office Action, it cites column 5, lines 26-33 of Raz, which states,

"...management module can be either centralized or distributed. If it is distributed, some communication mechanisms will be needed to distributed the table identifying ownership etc. to all hosts where it is can be then stored locally...the table could be updated whenever a host makes an open file request...part of the process of opening the file could also check ownership information that is stored in the centralized location."

Applicants respectfully submit that Raz fails to teach or suggest the features of claim 23. Specifically, Applicants submit that there is no teaching or suggestion of a control apparatus for controlling the state of use of a plurality of control targets wherein the upper control terminal means are connected through a network to controllers which are directly connected to said plurality of control targets; the control target allocation control means being located in the controllers, recited in claim 23.

Indeed, Applicants submit that a distributed management module identifying ownership, etc. to hosts where it could be updated whenever a host makes an open file request as part of the process of opening the file and could also check ownership information that is stored in the centralized location includes no suggestion of control terminal means connected through a network to controllers which are directly connected to said plurality of control targets and the control target allocation control means are located in the controllers.

Therefore, Applicants respectfully submit that claim 23 is patentable.

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For reasons similar to those described above with regard to independent claim 23, independent claims 31, 39, 45, 51, 57, 65, 73, 78, 83, 89, 90, 97, 103, 109, 114, 119, 124, 129 and 136 are also believed to be patentable.

Therefore, Applicants submit that independent claims 23, 31, 39, 45, 51, 57, 65, 73, 78, 83, 89, 90, 97, 103, 109, 114, 119, 124, 129 and 136 are patentable.

Applicants respectfully assert that none of the cited references disclose the physical structure of the broadcast system shown in Figure 1 and recited in the present claims. Therefore, for at least this reason, Raz, Voeten, Davison, Dixon, Dewey, and Arsenault fail to anticipate or obviate the present invention and the rejected claims should now be allowed.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the
claims in this application are patentable and Applicants respectfully request early passage to
issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 

Thomas F. Presson
Reg. No. 41,442
(212) 588-0800